

UNITED STATES DISTRICT COURT

for the

District of Montana

United States of America

v.

THOMAS EARL DEMPSEY

Date of Original Judgment: 02/09/2017

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 16-28-M-DLC

USM No: 16320-046

David Ness

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is **reduced to** _____.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Pursuant to 18 U.S.C. § 3582, USSG § 1B.10, and Amendment 821, Defendant is entitled to a two-point reduction of his criminal history score, which lowers his Criminal History Category from IV to III. However, because Defendant was subject to a mandatory minimum sentence on Count IV, a reduction in Defendant's criminal history category does not change the guideline range and has no effect on Defendant's ultimate sentence. The Clerk of Court is directed to provide a copy of this Order, including the new criminal history calculation, to the Bureau of Prisons, so that it may consider Defendant's revised criminal history category with respect to his PATTERN score.

Except as otherwise provided, all provisions of the judgment dated 02/09/2017 shall remain in effect.

IT IS SO ORDERED.

Order Date: 05/19/2025



Judge's signature

Effective Date: _____
(if different from order date)

Dana L. Christensen, District Judge, United States District Court

Printed name and title